

April 16, 2012

MEMORANDUM FOR: Patrick Moulding, Acting Director  
Office of Commission Appellate Adjudication

FROM: Annette L. Vietti-Cook, Secretary /RA/

SUBJECT: STAFF REQUIREMENTS - AFFIRMATION SESSION, 9:00 A.M.,  
MONDAY, APRIL 16, 2012, COMMISSIONERS' CONFERENCE  
ROOM, ONE WHITE FLINT NORTH, ROCKVILLE, MARYLAND  
(OPEN TO PUBLIC ATTENDANCE)

- I. SECY-12-0043 – Southern Nuclear Operating Co. (Vogtle Electric Generating Plant, Units 3 and 4) Docket Nos. 42-05-COL & 52-026-COL, Petitioners' Stay Motion (Feb. 16, 2012)

The Commission<sup>1</sup> approved a Memorandum and Order responding to a petition to stay the effectiveness of our February 9, 2012, decision in this matter (CLI-12-2), pending judicial review, submitted by Southern Alliance for Clean Energy, Blue Ridge Environmental Defense League, Center for a Sustainable Coast, Citizens Allied for Safe Energy, and Georgia Women's Action for New Directions. The Memorandum and Order denies the Petitioners' stay motion.

(Subsequently, on April 16, 2012, the Secretary signed the Memorandum and Order.)

cc: Chairman Jaczko  
Commissioner Svinicki  
Commissioner Apostolakis  
Commissioner Magwood  
Commissioner Ostendorff  
EDO  
OGC  
CFO  
OCA  
OIG  
OPA  
Office Directors, Regions, ACRS, ASLBP (via E-Mail)  
PDR

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<sup>1</sup> Section 201 of the Energy Reorganization Act, 42 U.S.C. Section 5841, provides that action of the Commission shall be determined by a "majority vote of the members present." Chairman Jaczko, and Commissioners Svinicki, and Ostendorff were present in the Conference Room. Commissioner Magwood participated in the meeting via speakerphone. Commissioner Apostolakis was not present when this item was affirmed. Accordingly the formal vote of the Commission was 4-0 in favor of the decision. Commissioner Apostolakis, however, had previously indicated that he would approve this order and had he been present he would have affirmed his prior vote.